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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/615,099	07/08/2003	Larry V. Dalrymple	104-30537	8650
7590	02/18/2005		EXAMINER	
James E. Bradley BRACEWELL & PATTERSON, LLP P.O. Box 61389 Houston, TX 77208-1389			NGUYEN, TRAN N	
			ART UNIT	PAPER NUMBER
			2834	

DATE MAILED: 02/18/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

MM

**Advisory Action  
Before the Filing of an Appeal Brief**

**Application No.**

10/615,099

**Applicant(s)**

DALRYMPLE ET AL.

**Examiner**

Tran N. Nguyen

**Art Unit**

2834

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

THE REPLY FILED 11 February 2005 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1.  The reply was filed after a final rejection, but prior to filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a)  The period for reply expires \_\_\_\_\_ months from the mailing date of the final rejection.  
 b)  The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

NOTICE OF APPEAL

2.  The reply was filed after the date of filing a Notice of Appeal, but prior to the date of filing an appeal brief. The Notice of Appeal was filed on \_\_\_\_\_. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

AMENDMENTS

3.  The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because  
 (a)  They raise new issues that would require further consideration and/or search (see NOTE below);  
 (b)  They raise the issue of new matter (see NOTE below);  
 (c)  They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or  
 (d)  They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: \_\_\_\_\_. (See 37 CFR 1.116 and 41.33(a)).

4.  The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).  
 5.  Applicant's reply has overcome the following rejection(s): \_\_\_\_\_.  
 6.  Newly proposed or amended claim(s) \_\_\_\_\_ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).  
 7.  For purposes of appeal, the proposed amendment(s): a)  will not be entered, or b)  will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:

Claim(s) allowed: 8-12 and 19-21.

Claim(s) objected to: 3 and 4.

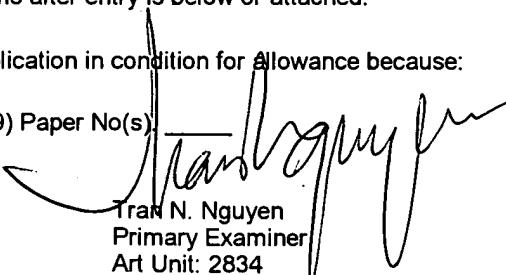
Claim(s) rejected: 1,2 and 5-7.

Claim(s) withdrawn from consideration: \_\_\_\_\_.

AFFIDAVIT OR OTHER EVIDENCE

8.  The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).  
 9.  The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).  
 10.  The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

REQUEST FOR RECONSIDERATION/OTHER

11.  The request for reconsideration has been considered but does NOT place the application in condition for Allowance because:  
see attachment.  
 12.  Note the attached Information Disclosure Statement(s). (PTO/SB/08 or PTO-1449) Paper No(s).   
 13.  Other: \_\_\_\_\_.

Tran N. Nguyen  
Primary Examiner  
Art Unit: 2834

## DETAILED ACTION

### *Response to Arguments*

Applicant's arguments filed 2/11/05 have been fully considered but they are not persuasive because of the following:

The applicant argues that the Examiner might be misconstruing part of the Beckman ref, particularly where the ends flags (311A-B) being overlapped and bonded together.

In response to this argument, regarding the bonding issue in the Beckman ref, the Examiner concurs with the applicant. However, whether the overlapping edges being bonded or not is irrelevant issue because of the following:

the applicant's attention is drawn to the recitations of the rejected claims 1-2, and 5-7.

1. *An electrical motor, comprising: a housing; a plurality of discs stacked within the housing to form a stator, the discs having slots that align with one another to form passages; a tube of dielectric film inserted within each of the passages, each of the tubes defining a sealed outer margin; and a plurality of windings inserted through each of the tubes.*

2. *The motor according to claim 1, wherein the dielectric film is nonmeltable.*

5. *The motor according to claim 1, wherein the slots have side edges that are straight and outer edges that are curved, and wherein the tubes have portions that are substantially flush with the side edges and the outer edges.*

6. *The motor according to claim 1, wherein a wall thickness of the tube is in the range from 0.003 to 0.009 inch.*

7. *The motor according to claim 1, wherein each of the tubes has a cross-sectional area that is substantially equal to a cross-sectional area of each of the slots.*

Thus, **none** of the rejected claims 1-2 and 5-7 recites the limitations of the overlapping edge bonded together. Therefore, the argument is irrelevant because the features upon which

applicant relies (i.e., whether the overlapping edges being bonded or not) are not recited in the rejected claims. Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

*In fact, claim 3-4, which depends from claim 1, are indicated to be allowable because these claims recite the bonding limitations.*

*Claim 3 features the nonmeltable bonded to a carrier layer of a meltible material; and*

*Claim 4 features the overlapping edges are bonded to a carrier layer of a thermoplastic material.*

Furthermore, the Examiner's position for rejecting claims 1-2 and 5-7 was the following:

**Tsubokawa** substantially discloses the claimed invention, except for the following limitations:

*The stator is discs laminated core; dielectric film is configured as a tube, wherein the slots have side edges that are straight and outer edges that are curved, and wherein the tubes have portions that are substantially flush with the side edges and the outer edges.*

**(Note: the above Examiner's statement, in the rejection, does not mention about the overlapping edges being bonded as being the missing disclosed features in the Tsubokawa ref.)**

Therefore, the Examiner relied on Beckman ref for the teaching of a motor having a stator core (115) is a stack of steel laminations, i.e., laminated core that is quite well known in the art.

Beckman, particularly teaches the dielectric film (302) is configured as a slot liner tube (fig 3), wherein the tube have side edges that are straight and outer edges that are curved, and wherein the tubes have portions that are substantially flush with the side edges and the outer edges. As shown in fig 3 slot liner tube (302) is to be disposed in slot (204) between stator core (115) and winding stage (122) and is *substantially coterminous with the slot* at the longitudinal ends (118, 119) of the slot. Slot liner tube (302) has a transverse wall 305 and opposing side walls (308A, 308B) projecting outwardly from opposite edge margins of the transverse wall 305. The side walls (308A-B) and transverse wall (305) of the slot liner tube are substantially *coterminous* with the opposing surfaces (210A-B) and bottom wall (213) defining the slot, respectively. Slot liner tube (302) also includes the end (311A-B) overlap edges ~~bonded together~~. Thus, Beckman does

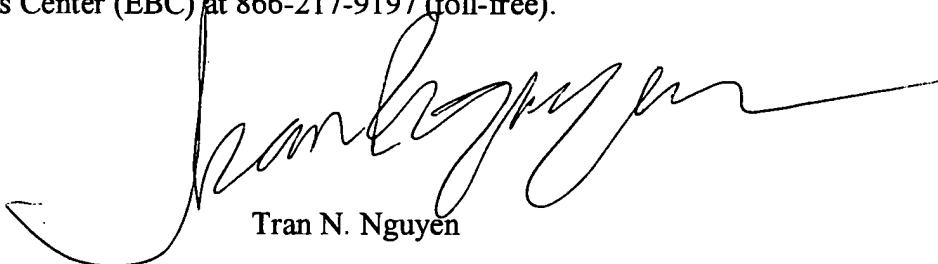
teach: a stator laminated core, a dielectric film configured as a tube, wherein the overlapping edges of the tube defining a sealed outer margin serving as slot closer. Therefore, it would have been obvious to one skilled in the art to apply the Beckman teaching in the Tsubokawa's stator because the Beckman's laminated core would enhance electrical resistant characteristics of the core, and Beckman's slot liner tube configuration would enable the tube to be cuffless while having substantially same shape with the slot.

Based on the above explanation regarding the rejections against claims 1-2 and 5-7, the **Final Rejection is deemed to be proper and hereby maintained.**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tran N. Nguyen whose telephone number is (571) 272-2030. The examiner can normally be reached on M-F 7:00AM-4:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Darren Schuberg can be reached on (571)-272-2044. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Tran N. Nguyen

Primary Examiner

Art Unit 2834